

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOHN LAURIA et al.,

Plaintiffs,

-against-

NEXTEL OF NEW YORK, INC., d/b/a  
NEXTEL COMMUNICATIONS et al.,

Defendant.  
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**ORDER**

CV 05-3437 (ADS)(ARL)

**LINDSAY, Magistrate Judge:**

Before the court is the plaintiffs' letter application seeking to compel the production of certain documents and responses to interrogatories. Although the plaintiffs generally contend that the documents produced and the answers to interrogatories were incomplete, in their application, the plaintiffs only provide argument with respect to Request No. 17. Request No. 17 seeks the production of the "hard drive on the laptop computer that was loaned to and/or used by John Lauria during the period from 2002-2005." The defendant has already advised the plaintiffs that it has "made a diligent inquiry as to the location of the laptop computer that was loaned to and/or used by Plaintiff, and [has] learned as a practice, laptop computers were redeployed almost immediately upon an employee leaving the Company." Consequently, the defendant has responded to the request by advising the plaintiffs that it possesses no documents responsive to Request No. 17. The defendant's response is adequate and thus, the plaintiffs' motion to compel Request No. 17 is denied.

With respect to the interrogatories and document requests referred to in the plaintiffs' April 17, 2007 letter, annexed to the motion as Exhibit 6, the plaintiffs have not provided the court with any argument as to why the defendant's responses are deficient. The court cannot rule on an application absent legal argument and support for the plaintiffs' contention. Accordingly, to the extent the plaintiffs seek to compel responses to those requests, their application is also denied.

Dated: Central Islip, New York  
May 21, 2007

**SO ORDERED:**

\_\_\_\_\_/s/\_\_\_\_\_  
ARLENE R. LINDSAY  
United States Magistrate Judge